

PROB 12B
(7/93)

Report Date: April 25, 2011

United States District Court

for the

Eastern District of Washington

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

APR 27 2011

JAMES R. LARSEN, CLERK
DEPUTY
CLERK
WASHINGTON

Name of Offender: Christopher James Twelves Case Number: 2:05CR00043-001
Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge
Date of Original Sentence: 9/13/2005 Type of Supervision: Supervised Release
Original Offense: Possession of Child Pornography, Date Supervision Commenced: 5/12/2010
18 U.S.C. § 2252A(a)(5)(B)
Original Sentence: Prison - 63 Months; TSR - 36 Date Supervision Expires: 5/11/2013
Months

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 28 You shall reside in a residential reentry center (RRC) for a period of up to 180 days. You shall abide by the rules and requirements of the facility and shall participate in programs offered by the facility at the direction of the supervising officer.

CAUSE

Christopher Twelves violated the conditions of his supervised release in Spokane, Washington, for an undisclosed period of time, by viewing sexually explicit movies (pornography), contrary to special condition #22 and #23 of the conditions of supervised release. On April 20, 2011, the offender admitted viewing pornography while at his residence in Spokane, Washington, on several occasions since commencing supervision.

Mr. Twelves violated conditions of his supervised release in Spokane, Washington, on dates undisclosed, by texting and receiving nude photographs of himself and unidentified females, while using his cellular telephone. The above-referenced behavior is contrary to special condition #15, #22 and #23 of the conditions of supervised release. On April 20, 2011, the offender admitted to the above-noted behavior during an in-office meeting with the undersigned officer. He also acknowledged that he willfully violated the referenced special conditions.

Christopher Twelves violated conditions of his supervised release in Spokane, Washington, during October 2010, by possessing and using a computer to access the Internet, contrary to special condition #17 of the conditions of supervised release. On April 20, 2011, the offender admitted that he accessed the Internet without securing prior approval from the undersigned officer for employment purposes. Ongoing efforts to verify sites that the offender may have navigated to while on the Internet are being pursued. It is noted that Mr. Twelves also admitted to maintaining email accounts at Yahoo and gmail, respectively. The Court is reminded that the offender did not receive prior

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approval to utilize a computer for the expressed purpose of accessing the Internet. Notice to the Court will be initiated if any new law violations have been perpetrated by the offender.

Christopher Twelves violated conditions of his supervised release in Spokane, Washington, in October 2010, by entering into an establishment involved in the sex industry, "Lovers," contrary to special conditions #22 and #23 of the conditions of supervised release. On April 20, 2011, the offender admitted to frequenting "Lovers" adult establishment at 3411 N. Division Street, prior to Halloween. Mr. Twelves reports that he accompanied his girlfriend for the purpose of purchasing stockings at the store.

Although Mr. Twelves admits to the above-referenced noncompliant behavior, it is not clear if he was truthful about all of his activities since release from custody. It is the undersigned's opinion that the offender self-admitted the alleged violations in preparation for his upcoming polygraph examination. He indicated that it is his intent to follow all Court-ordered treatment and/or intervention programs. He is expected to continue participating in sexual deviancy treatment. The undersigned instructed Mr. Twelves to cease and desist all activities that are contrary to the conditions of supervision as imposed by the Court.

As an intermediate sanction, Christopher Twelves was asked whether he would waive his right to a hearing and agree to the modification as outlined. As indicated by the enclosed waiver of hearing to modify conditions of supervised release form, Mr. Twelves has agreed to the proposed modification. It is respectfully recommended that the Court adopt the attached waiver of hearing to modify conditions of supervised release as listed above. It is hoped the intermediate sanction imposed meets with the expectation of the Court. However, in the event you choose to have a warrant or summons issued, please advise and the undersigned will prepare the appropriate petition and present it for your signature.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 04/25/2011

s/Tommy Rosser

Tommy Rosser
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

Fred Van Buren

Signature of Judicial Officer

April 26, 2011

Date